

**ZB# 07-49**

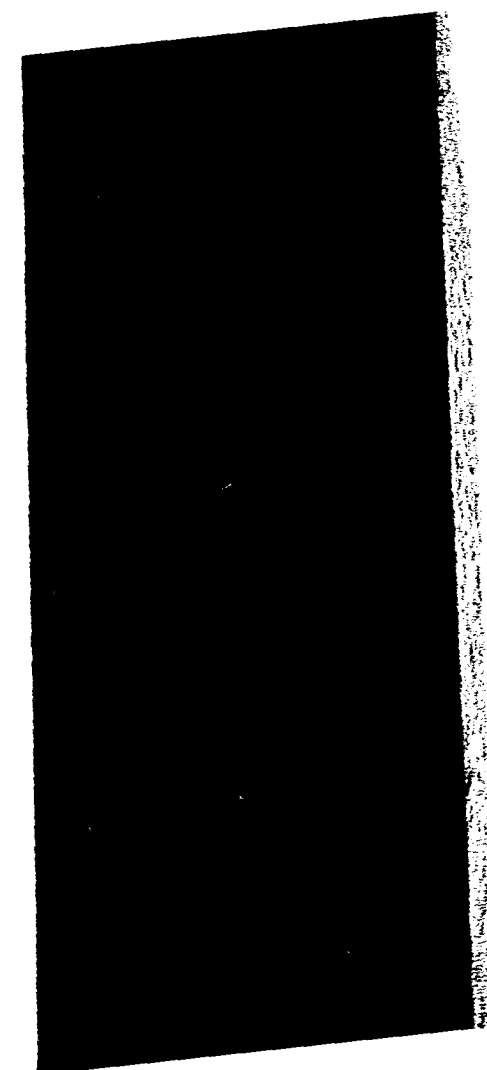
**Jonathan Godfry**

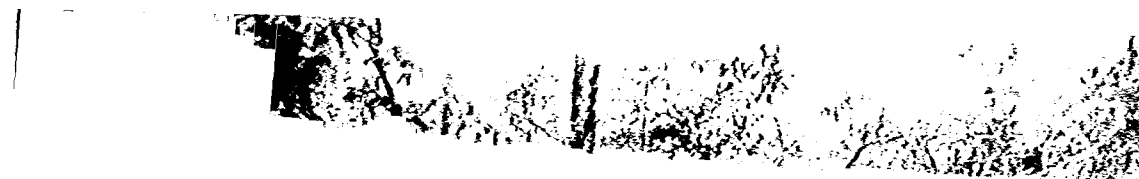
**35-1-86.2**

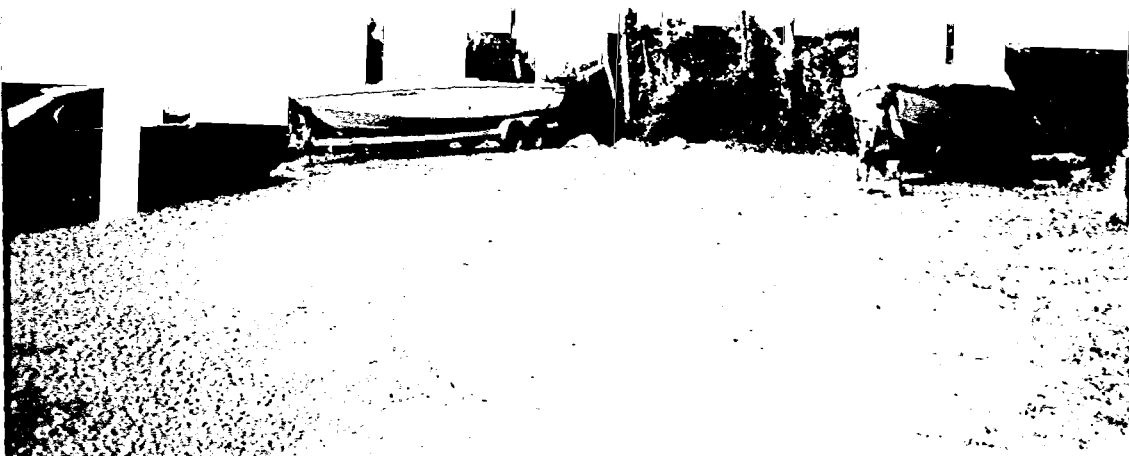
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
*Granted & closed May-08*

**07-49** Jonathan Godfrey (Area)  
271 Riley Rd (35-1-86)









U.S. 211 Highway Exit (2001-2002)

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**COPY**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE: 5/23/07**

**APPLICANT: Jonathan Godfrey  
271 Riley Road  
New Windsor, NY 12553**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:**

**FOR : Proposed pole barn**

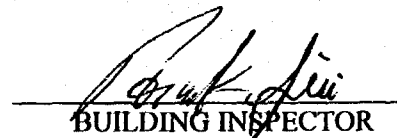
**LOCATED AT: 271 Riley Road**

**ZONE: R-3     Sec/Blk/ Lot: 35-1-86.2**

**DESCRIPTION OF EXISTING SITE: Existing one family house**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

**1. Proposed detached pole barn will not meet minimum front or side yard set-backs and will project closer to the road than the original house.**

  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-3      USE:

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD: 300-11-A-3

NOT PERMITTED

REQ'D SIDE YD: 300-11-A-1-B 10ft

5ft

5ft

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
**YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION**

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and permit fee.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED

MAY 09 2007

FOR OFFICE USE ONLY:

Building Permit #: 7-337

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP A LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Jonathan Godfrey

Address

271 Riley Rd. New Windsor NY 12553

Phone # 914-447-5128

Mailing Address

Same

Fax #

914-470-1816

Name of Architect

Address

Phone

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the West side of Riley Rd.  
(N, S, E or W)  
and 1 mile East from the intersection of St 94
2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y N
3. Tax Map Description: Section 35 Block 1 Lot 86.2
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.  
a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_
5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other Garage or Pool/Bath
6. Is this a corner lot? NO
7. Dimensions of entire new construction <sup>GPX</sup> Front 35' Rear 35' Depth 30' Height 12' No. of stories 1
8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_  
Number of bedrooms 0 Baths 0 Toilets 0 Heating Plant: Gas 0 Oil 0  
Electric/Hot Air 0 Hot Water 0 If Garage, number of cars 3 Doors
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_
10. Estimated cost 12 to 15 thousand plus ~~2000~~ for contract

**PAID**

**ZONING BOARD**

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Rakocik  
Asst. Inspectors: Frank Liel & Louis Kryshear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 863-4818  
(845) 863-4885 FAX

Bldg Insp Examined \_\_\_\_\_  
Pte Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Unapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Constructor Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Owner's Signature)

(Address of Applicant)

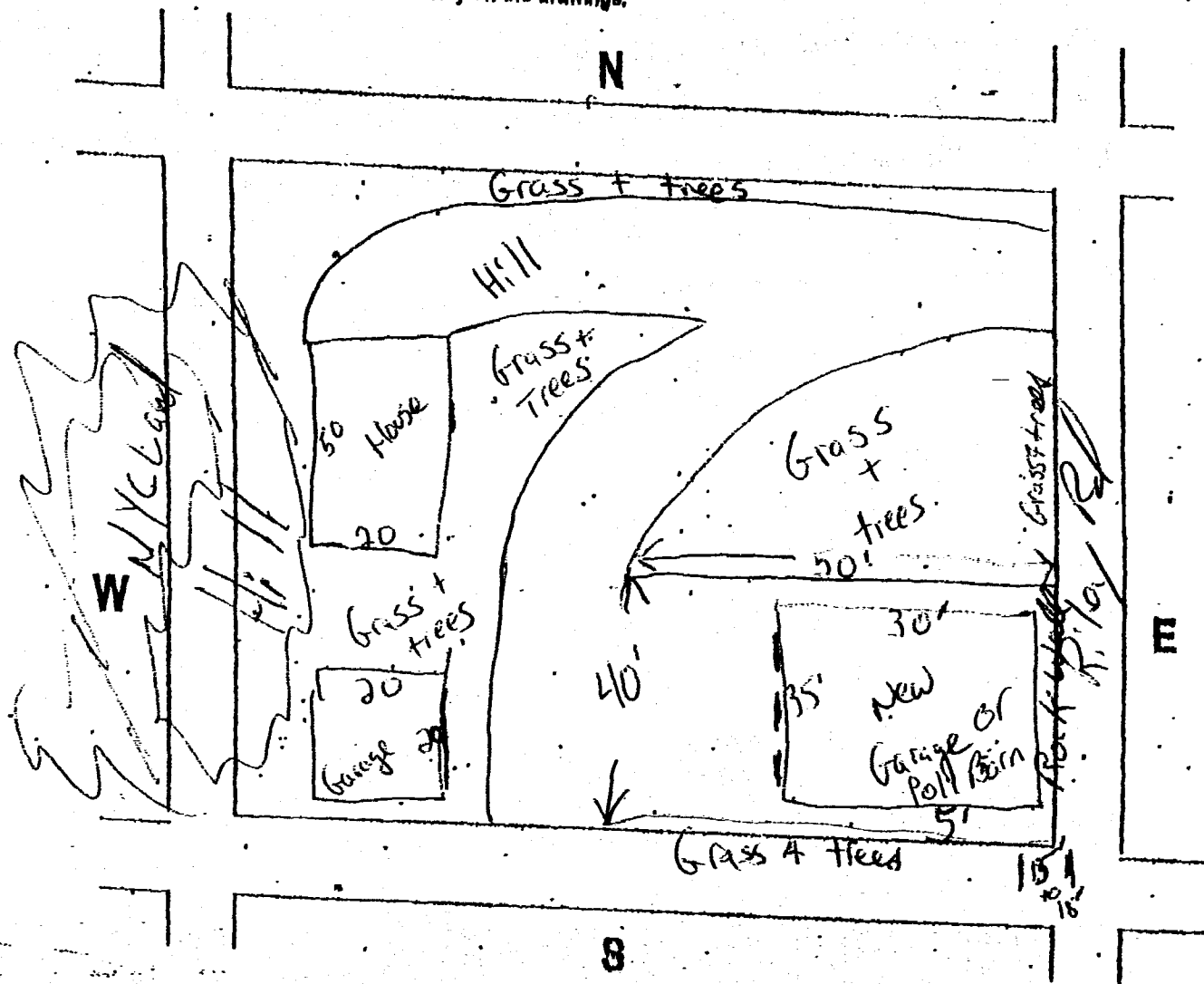
(Owner's Address)

271 Riley Rd New Windsor NY 12553

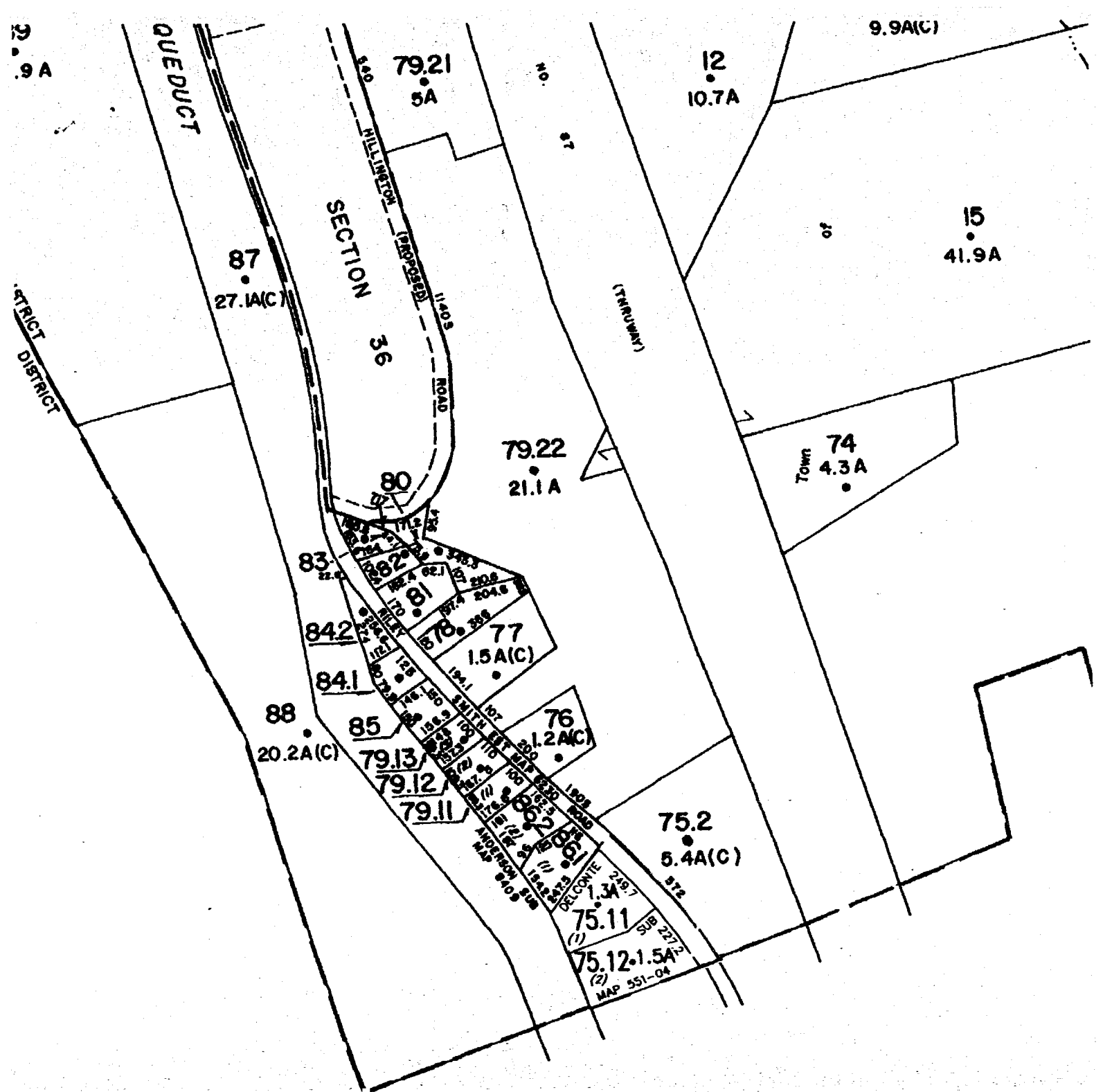
271 Riley Rd New Windsor NY 12553

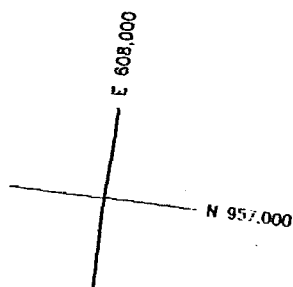
NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

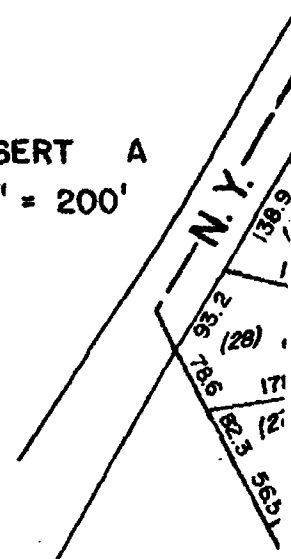


CHUCK BROWN



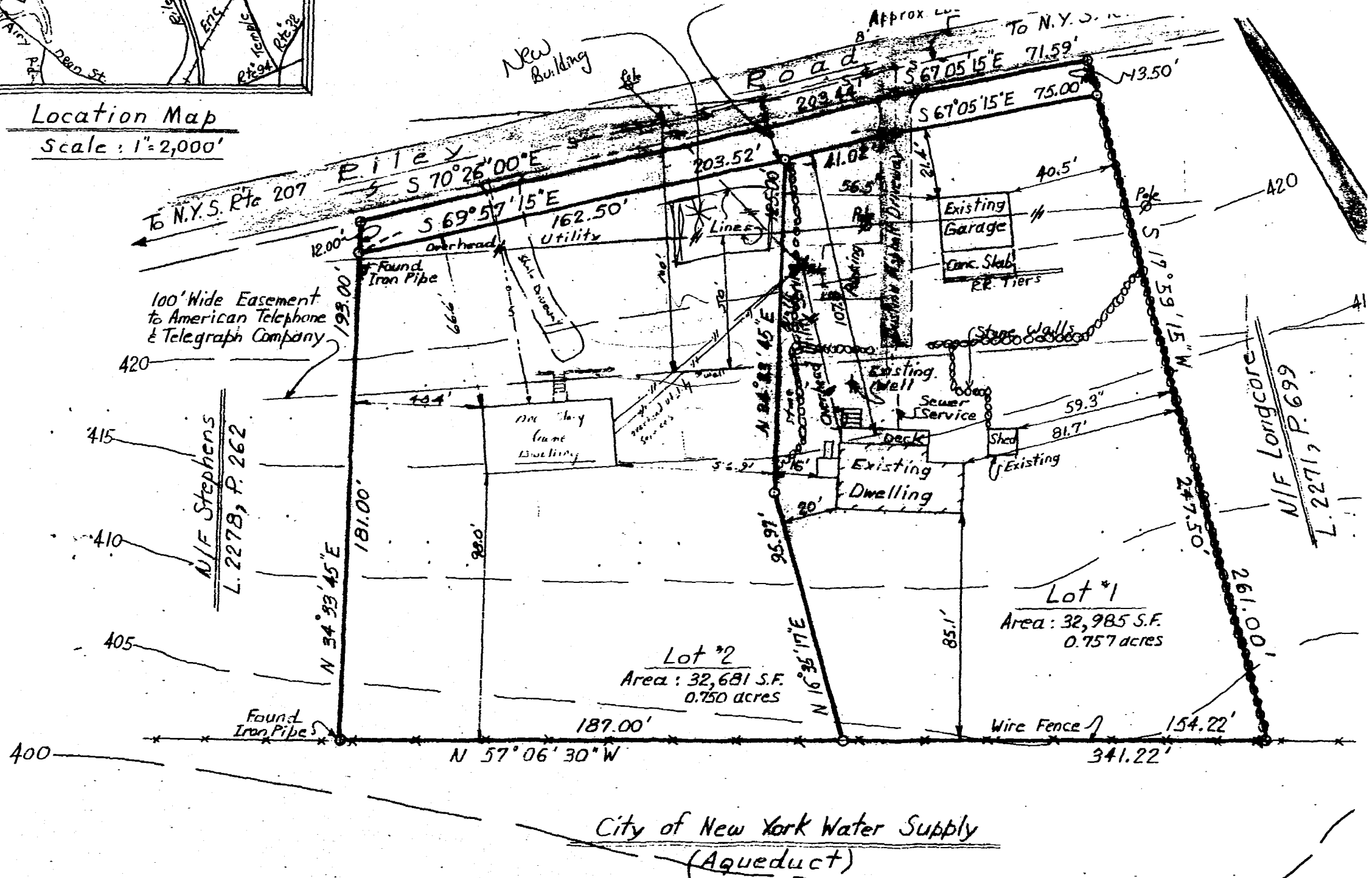


INSERT A  
1" = 200'



# LEGEND

LINE	TAX MAP BLOCK NO. ④	FILED PLAN BLOCK NO. ② ④
	TAX MAP PARCEL NO. 32	FILED PLAN LOT NO. (3)
—Z—	AREAS (DEED) 11.1A (CALCULATED) 11.6A(C)	STATE HIGHWAYS N Y STATE HWY NO 17
	DIMENSIONS (DEED) 66 (CALCULATED) 75S	COUNTY HIGHWAYS COUNTY ROAD NO 4
		TOWN ROAD 1



**NEW WINDSOR ZONING BOARD OF APPEALS**

SBL: 35-1-86.2

In the Matter of the Application of

**MEMORANDUM OF  
DECISION GRANTING**

**JONATHAN GODFREY**

**AREA**

**CASE #07-49**

**WHEREAS, Jonathan Godfrey**, owner(s) of 271 Riley Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 5 ft. Side Yard Setback and; Variance of [300-11-A-3 No accessory building shall project nearer to the street on which the principal building fronts than such principal building.] for proposed pole barn at 271 Riley Road in an R-3 Zone (35-1-86.2)

**WHEREAS**, a public hearing was held on November 5, 2007 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties in an R-3 zone.
  - (b) The applicant proposes to build a "Pole Barn" on residential property containing a single-family residential home.



- (c) The configuration of the property makes the location of the Pole Barn desirable for the Pole Barn to be in front of the existing home. The property is bordered by the New York State Aqueduct and is built into a hill, which makes it impossible for the applicant to place the Pole Barn behind the existing building. The grade of the property is above the grade of the adjacent roadway. The proposed Pole Barn will be at least six feet above the grade of the road.
- (d) The purpose of the Pole Barn is for personal storage and is for the private use of the occupant of the adjacent home.
- (e) One of the neighbors of the property also has a garage or accessory building which projects closer to the road than the principal highway.
- (f) In constructing the Pole Barn the applicant will not remove any trees or substantial vegetation.
- (g) The Pole Barn will not divert the flow of water drainage nor will it create the ponding or collection of water.
- (h) The proposed Pole Barn will not be on top of, nor will it interfere with, any easements, including, but not limited to water, sewer and electrical easements.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

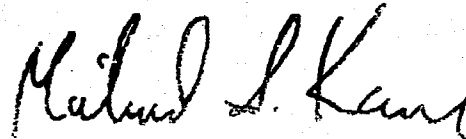
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a Request for 5 ft. Side Yard Setback and; Variance of [300-11-A-3 No accessory building shall project nearer to the street on which the principal building fronts than such principal building.] for proposed pole barn at 271 Riley Road in an R-3 Zone (35-1-86.2) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: May 15, 2008



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Chairman

JONATHAN\_GODFREY\_(07-49)

MR. KANE: Request for 5 foot side yard setback and variance of 300-11-A-3, no accessory building shall project nearer to the street on which the principal building fronts than such principal building for proposed pole barn at 271 Riley Road.

Mr. Jonathan Godfrey appeared before the board for this proposal.

MR. KANE: Good evening, Mr. Godfrey, same as the preliminary, tell us what you want to do.

MR. GODFREY: What I want to do is I just want to put up a garage/pole barn, haven't really decided what I want to do yet simply for personal storage and no, you know, parking and stuff like that, not running any business, nothing like that, it's for my own use. My property backs up to New York aqueduct, my house is built into a hill which prevents me from building behind the home.

MR. KANE: Let the record show that it's very hilly behind the home, a lot of stone.

MR. TORPEY: There's a neighbor with the garage the same there.

MR. GODFREY: Yeah, it's out in front, I actually want to go a little bit further closer to the road. I brought some additional pictures showing even though I'm closer to the road I'm about six or eight feet high off the road, actually, the road is below the grade of my property and I brought some additional pictures showing that.

MR. KANE: Cutting down any trees, substantial vegetation in the building of the pole barn?

MR. GODFREY: No, sir.

MR. KANE: Creating any water hazards or runoffs?

MR. GODFREY: No, sir.

MR. KANE: Any easements running through the area?

MR. GODFREY: There was one, I checked into it when I had my first meeting it was brought to my attention, it was with American Telephone and Telegraph which I did some research, it's AT&T. I called Verizon, they own the lines now and that easement was somewhere from back in the '30s and all their lines run on the opposite side of the street, they have no purpose for it.

MR. KANE: But the, if the easement's still in existence you're still subject to them.

MR. KRIEGER: Yeah, theoretically if they decided they wanted to come through.

MR. GODFREY: According to them, the easement doesn't exist anymore. The only reason it showed up was because the plot plan that we used was the one on record with New Windsor and that plot plan's probably 20 years old.

MR. KRIEGER: Is this proposed pole barn, would that go on top of the easement?

MR. GODFREY: No, it's not, the easement is on the opposite side of the property, it really doesn't affect it.

MR. KRIEGER: Whether it's active or not it's immaterial.

MR. GODFREY: Yeah.

MR. KANE: Okay, at this point, I'll ask if there's anybody in the public for this particular hearing? Seeing as there's not, we'll close the public portion of the meeting and bring it back to Myra, ask how many mailings did we have.

MS. MASON: On October 9, I mailed out 16 envelopes and had no response.

MR. KANE: Any further questions from the board?

MS. GANN: Do we need to be more specific as to what the applicant is looking for, whether it be a garage or a pole barn? Is there not a difference between the two?

MR. GODFREY: Well, can I speak?

MR. KANE: Please.

MR. GODFREY: I actually was going to go for a pole barn first. In doing my research with the town, the requirements that they want for the pole barn it's the same as a garage, the idea of a pole barn to be able to put poles into the ground with a structure with no floor and New Windsor won't allow it so they want a cement slab. So at that point, it's one half dozen of the other.

MR. KANE: Answer your question?

MS. GANN: Okay.

MR. KANE: Any further questions? If not, I'll accept a motion.

MS. LOCEY: I will offer a motion to grant the requested variances on the application of Jonathan Godfrey as detailed on the agenda of the Zoning Board of Appeals meeting dated November 5, 2007.

November 5, 2007

25

MS. GANN: I'll second the motion.

ROLL CALL

MS. GANN	AYE
MR. TORPEY	AYE
MS. LOCEY	AYE
MR. KANE	AYE

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: JACK FINNEGAN, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: 12-28-07**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 142.97 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #07-49**

**NAME & ADDRESS:**

**Jonathan Godfry  
271 Riley Road  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**J.F.12-28-07**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #07-49

TYPE: AREA

TELEPHONE: 914-447-5128

**APPLICANT:**

Jonathan Godfry  
271 Riley Road  
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>1443</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 1442

~~~~~

**DISBURSEMENTS:**

MINUTES ATTORNEY  
\$7.00 / PAGE FEE

|                              |          |       |                 |                 |
|------------------------------|----------|-------|-----------------|-----------------|
| PRELIMINARY:                 | <u>7</u> | PAGES | \$ <u>49.00</u> | \$ <u>35.00</u> |
| 2 <sup>ND</sup> PRELIMINARY: | —        | PAGES | \$ _____        | \$ _____        |
| PUBLIC HEARING:              | <u>3</u> | PAGES | \$ <u>21.00</u> | \$ <u>35.00</u> |
| PUBLIC HEARING:              | —        | PAGES | \$ _____        | \$ _____        |

LEGAL AD: Publish Date: 10-12-07 \$ 17.03

TOTAL: \$ 87.03 \$ 70.00

~~~~~

ESCROW POSTED: \$ 300.00  
LESS: DISBURSEMENTS: \$ 157.03

AMOUNT DUE: \$ \_\_\_\_\_

REFUND DUE: \$ 142.97

Cc:

J.F. 12-28-07





**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**  
PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. (07-49)

Request of NATHAN GODFREY

for a VARIANCE of the Zoning Local Law to Permit:

Request for 5 ft. Side Yard Setback and; Variance of [300-11-A-3 No accessory building shall project nearer to the street on which the principal building fronts than such principal building.] for proposed pole barn at 271 Riley Road in an R-3 Zone (35-1-86.2)

PUBLIC HEARING will take place on OCTOBER 22, 2007 at the New Windsor Town Hall 555 Union Avenue New Windsor, New York beginning at 7:30 P.M.

Michael Kane, Chairman  
ORANGE, NY

17.03

State of New York

County of Orange, ss:

Kathleen O'Brien being duly sworn disposes and says that she is the Supervisor of Legal Dept. of the E.W. Smith Publishing Company; Inc., Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which the annexed is a true copy was published in said newspaper, 1 time (s) commencing on the 12th day of Oct. A.D., 2007 and ending on the 12th day of Oct. A.D. 2007

*Kathleen O'Brien*  
Subscribed and shown to before me this 23<sup>rd</sup> day of Oct., 2007.

*Deborah Green*  
Notary Public of the State of New York  
County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
#4984065

My commission expires July 15, 2011



# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

## Invoice

Date	Invoice #
11/6/2007	953

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

P.O. No.	Terms	Project

Issue Date	Description	Rate	Amount
10/26/2007	LEGAL ADS: JONATHAN GODFREY 07-49	13.43	13.43
	1 AFFIDAVIT	4.00	4.00
<div data-bbox="689 1102 991 1309" data-label="Image"></div>			
<b>Total</b>			<b>\$17.43</b>

**PUBLIC HEARING NOTICE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. (07-49)

Request of JONATHAN GODFREY

for a VARIANCE of the Zoning Local Law to Permit:

Request for 5 ft. Side Yard Setback and; Variance of [300-11-A-3 No accessory building shall project nearer to the street on which the principal building fronts than such principal building.] for proposed pole barn at 271 Riley Road in an R-3 Zone (35-1-86.2)

PUBLIC HEARING will take place on NOVEMBER 5, 2007 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 PM.

Michael Kane, Chairman

State of New York

County of Orange, ss:

Kathleen O'Brien being duly sworn disposes and says that she is the Supervisor of Legal Dept. of the E.W. Smith Publishing Company; Inc., Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which the annexed is a true copy was published in said newspaper, 1 time (s) commencing on the 26<sup>th</sup> day of Oct. A.D., 2007 and ending on the 26<sup>th</sup> day of Oct. A.D. 2007

*Kathleen O'Brien*  
Subscribed and shown to before me this 14<sup>th</sup> day of Nov, 2007.

*Deborah Green*  
Notary Public of the State of New York  
County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
#4984065  
Commission Expires July 15, 2011

My commission expires \_\_\_\_\_

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

**Appeal No. (07-49)**

**Request of JONATHAN GODFREY**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 5 ft. Side Yard Setback and; Variance of [300-11-A-3 No accessory building shall project nearer to the street on which the principal building fronts than such principal building.] for proposed pole barn at 271 Riley Road in an R-3 Zone (35-1-86.2)**

**PUBLIC HEARING will take place on NOVEMBER 5, 2007**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**

  
**Michael Kane, Chairman**

**AFFIDAVIT OF MAILING**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

JONATHAN GODFRY

AFFIDAVIT OF  
SERVICE  
BY MAIL

#07-49

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 131 Mt. Airy Road, New Windsor, NY 12553.

That on the 9TH day of **OCTOBER**, 2007, I compared the 16 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason

Myra L. Mason, Secretary

10<sup>th</sup> day of October, 2007

J. F. Gallagher  
Notary Public

JENNIFER GALLAGHER  
Notary Public, State of New York  
No. 01GA6050024  
Qualified in Orange County  
Commission Expires 10/30/ 10



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101  
J. Todd Wiley, IAO

## Assessor's Office

September 27, 2007

Jonathan Godfry  
271 Riley Road  
New Windsor, NY 12553

Re: 35-1-86.2 ZBA#07-49 (16)

Dear Mr. Godfry:

According to our records, the attached list of property owners are within five hundred (500) feet of the above-referenced parcel.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/lrd  
Attachments

CC: Myra Mason, ZBA

35-1-75.11 & 35-1-75.12  
Nancy Delconte  
PO Box 665  
Vails Gate, NY 12584

35-1-85  
Leslie & Patricia La-France  
291 Riley Road  
New Windsor, NY 12553

35-1-75.2  
William Longcore  
Christine Maciel  
258 Riley Road  
New Windsor, NY 12553

35-1-86.1  
John McAdams  
267 Riley Road  
New Windsor, NY 12553

35-1-76  
Bonnie Glazier  
276 Riley Road  
New Windsor, NY 12553

35-1-88  
Kartiganer Family Limited Partnership  
C/o Herbert Kartiganer  
3928 Live Oak Blvd.  
Delray Beach, FL 33445

35-1-77  
Raymond Yannone Jr.  
Raymond Yannone III  
2899 Route 9W  
New Windsor, NY 12553

65-1-18  
Central Hudson Gas & Electric Corp.  
C/o Tax Agent  
South Road  
Poughkeepsie, NY 12601

35-1-78  
Kevin Wilbur  
Pamela Kohrmann  
296 Riley Road  
New Windsor, NY 12553

65-1-19.2  
NY City Department of E P C/o City of NY  
Bureau of Water Supply-OWSL  
465 Columbus Avenue, Suite 350  
Valhalla, NY 10595

35-1-79.11  
William Rushing  
275 Riley Road  
New Windsor, NY 12553

65-1-20  
Village of Cornwall  
C/o Distribution System of  
Cornwall on Hudson  
PO Box 337  
Cornwall, NY 12520

35-1-79.12  
Anna Vazquez  
281 Riley Road  
New Windsor, NY 12553

35-1-79.13  
Deborah Williams  
285 Riley Road  
New Windsor, NY 12553

35-1-79.22  
Dr. Mohammad Khan  
Sahar Khan Najmus  
16 Green Bower Lane  
New City, NY 10956

35-1-84.1  
Lawrence & Lauraine Hollenbeck  
295 Riley Road  
New Windsor, NY 12553



**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

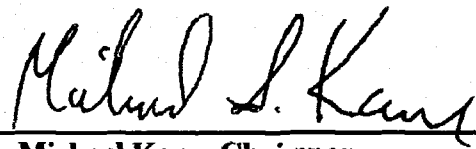
**Appeal No. (07-49)**

**Request of JONATHAN GODFREY**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 5 ft. Side Yard Setback and; Variance of [300-11-A-3 No accessory building shall project nearer to the street on which the principal building fronts than such principal building.] for proposed pole barn at 271 Riley Road in an R-3 Zone (35-1-86.2)**

**PUBLIC HEARING will take place on OCTOBER 22, 2007**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**



---

**Michael Kane, Chairman**

September 24, 2007

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PRELIMINARY MEETINGS:

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JONATHAN\_GODFREY\_(07-49)

---

MR. KANE: Tonight's first preliminary meeting is Jonathan Godfrey. Request for 5 foot side yard setback and variance of 300-11-A-3, no accessory building shall project nearer to the street on which the principal building fronts than such principal building for proposed pole barn at 271 Riley Road.

Mr. Jonathan Godfrey appeared before the board for this proposal.

MR. KANE: So everybody knows with the prelims what we do is we hold two meetings, we hold a preliminary meeting so we can get a general idea of what you want to do, make sure you have all the information, pictures, that kind of stuff. And then everything is decided by a law at a public hearing. Other towns it's a one shot deal, if you don't have the right stuff you come in, you lose. So that's why we do a two session thing. So tell us exactly what you want to do, please. Speak up loudly so the young lady over there can hear you.

MR. GODFREY: Looking to put up a garage or pole barn type thing simply for more storage, vehicles and outdoor equipment, stuff like that. Being that I live on a hill on Riley Road with the aqueduct behind me it kind of limits my space for my back yard for storage so I'm asking permission to put something in the front of the house. I brought pictures showing the property, back yard.

MR. KANE: Creating any, cutting down any vegetation, substantial trees in the building of this?

MR. GODFREY: No, sir.

September 24, 2007

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MR. KANE: Creating runoffs, water hazards?

MR. GODFREY: No, sir.

MR. KANE: Any easements in the area you intend to build?

MR. GODFREY: Not that I'm aware of.

MR. LUNDSTROM: We'll have to find that out before the public hearing.

MR. GODFREY: Okay.

MR. KANE: And there's an overhead utility, I don't see any easements.

MR. GODFREY: I don't think there's any easements.

MR. BABCOCK: I think there may be, there's a line that goes through in the front of the house, it says it's 100 foot wide easement to American Telephone Company.

MR. GODFREY: I believe it's moved, I believe it's on the other side of the road now that would run parallel with Riley.

MR. BABCOCK: Yeah, if you look at your survey this line is the easement line, this is the power line, utility line.

MR. GODFREY: I believe the line was moved, there's nothing over there anymore, I guess they still have an easement but the line's not there so--

MR. KANE: If the easement is in place you'll understand that if it is passed by the board that they have the right with an easement to go through there and take your shed down and do whatever they need to do, that's not something that we can change here. Would

September 24, 2007

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the pole barn be visible from the road?

MR. GODFREY: Yes.

MR. KANE: How far back off the road is it going to be?

MR. GODFREY: Roughly 10 or 15 feet.

MR. KANE: Going to have any illumination in it?

MR. GODFREY: Illumination?

MR. KANE: Lights.

MR. GODFREY: I don't know, I was figuring maybe just basic fluorescents.

MR. KANE: Nothing that would inhibit view from the street?

MR. GODFREY: No.

MR. KANE: For the public as far as I'm concerned we'll just need you to check on that easement to make sure we have all the information. Further question from the board?

MR. LUNDSTROM: On the plot plan that you provided it shows two lots, lot 1 and lot 2, which lot are you addressing or is it both?

MR. GODFREY: It would be this one here I guess is lot 2, yeah, this is mine, what it was was years ago before I owned the house this was one piece of property and it was subdivided and the children from the parents built this house.

MR. BABCOCK: It's lot 2.

MR. LUNDSTROM: Okay and this is the dwelling on it

September 24, 2007

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right here?

MR. GODFREY: Yes.

MR. LUNDSTROM: That's where you're planning on putting the garage?

MR. GODFREY: Yes.

MR. BABCOCK: As you can see his neighbor has a garage also in a similar location.

MR. KANE: Very similar location.

MR. LUNDSTROM: But it looks like the neighbor's garage is 21.4 feet back from the road.

MR. BABCOCK: Yes, it's a little farther back.

MR. LUNDSTROM: Yours is going to be a little bit--

MR. GODFREY: A little bit closer, yeah, the reason why I wanted to do that his is off to the side of his property and he has a driveway that comes straight up where mine is, I don't want, I want to be able to still maneuver and pull into the garage. I don't want to take up too much space in the driveway, so by moving it to the road I can make a K-turn and pull into the garage.

MR. LUNDSTROM: On the plot plan, where would you see the entrance to the garage being?

MR. GODFREY: Over here.

MR. BABCOCK: You want to drive right off Riley into the garage?

MR. GODFREY: No, sir, I want to come in from the driveway so the back of the building would actually

September 24, 2007

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face the road.

MR. LUNDSTROM: If you were to move your garage back further?

MR. GODFREY: I don't mean to interrupt, the reason that is is my property sits up, if you walked on Riley Road you'd probably be eye level to my property.

MR. BABCOCK: That's correct.

MR. GODFREY: So I'd have to remove huge amounts of dirt to lower it to the road level. You follow what I'm saying?

MR. LUNDSTROM: All right, what would you have to do to move it back further away from the road?

MR. GODFREY: Nothing, I mean, I just would limit the amount of space in my driveway, that's all.

MR. LUNDSTROM: What about turning it around sideways so you can access it from the side?

MR. GODFREY: I would have to knock down trees and grass.

MR. LUNDSTROM: But you wouldn't have to do that if you moved it back.

MR. GODFREY: If I moved it back from the road I would just lose driveway.

MR. KANE: Keeping it in the same direction you originally did but if you're turning it, moving it back from the road.

MR. GODFREY: No, you couldn't, you'd lose everything, there wouldn't be any access, in other words, what I'm getting at here is the driveway comes up over here and

it continues all the way across, this is a shale driveway, comes all the way here, actually, you drive in this way and you're saying if I want to pull in this way, is that what you're asking me?

MR. LUNDSTROM: I'm thinking that could be moved back and turned around and go in sideways into the garage.

MR. GODFREY: There's an existing building here.

MR. LUNDSTROM: One of the things I'm going to require is that you get an accurate plot plan for the public hearing. Obviously, this plot plan is not correct, it's not thorough and again I would strongly suggest you look at moving that back further from the road so you're not asking us to grant that much of a variance.

MR. GODFREY: What would you like?

MR. LUNDSTROM: Ask the board right now, you're looking, Mike, what's the variance he's asking for?

MR. BABCOCK: Just to be in the front yard so anywhere it's the same variance no matter where he puts it.

MR. KANE: It's because the building is in front of the house here, there's no numbers involved.

MR. GODFREY: Sir, I would make whatever adjustments are necessary. I would just like to put a garage.

MR. LUNDSTROM: I would feel more comfortable since your neighbor has a garage 21.5 feet from the road if yours would be around 20 or 21 just to maintain the character of the neighborhood.

MR. KANE: If you can take us some pictures, draw it out for the public hearing and give us two views of it a little bit further back and right in there.

September 24, 2007

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MR. LUNDSTROM: The other thing I would suggest for your public hearing is take one of these plot plans that's more accurate, blow it up and put it on the easel so not only all of us here but the public can see.

MR. GODFREY: All right.

MR. KANE: Any questions? I'll accept a motion. Do you have something Andy?

MR. KRIEGER: No.

MR. KANE: I'll accept a motion.

MR. LUNDSTROM: Mr. Chair, I will move that the application for Mr. Jonathan Godfrey be scheduled for a public hearing as identified on the agenda for the ZBA item number one dated September 24, 2007.

MR. TORPEY: I'll second that.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE



**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**  
**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 09-14-07

FOR: 07-49 ESCROW

FROM:

**Jonathan Godfry**  
**271 Riley Road**  
**New Windsor, NY 12553**

CHECK FROM:  
SAME

CHECK NUMBER: 1442

TELEPHONE: 914-447-5128

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

J. Tunney 9-19-07  
NAME DATE

ZBA #07-49 ESCROW

**JONATHAN L. GODFRY**  
271 RILEY ROAD  
NEW WINDSOR, NY 12553

914-447-5128

Date: 9/19/07

Pay to the Order of Town of New Windsor \$ 300.00

Three hundred Dollars

**Provident Bank**  
06 - MT. IVY, N.Y. 10970

For Jonathan Godfry

⑆221970443⑆ 06600060443⑆ 1442

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#725-2007**

09/19/2007

Godfry, Jonathan L.

Received \$ 50.00 for Zoning Board Fees, on 09/19/2007. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

*ZBA #07-49 Application fee*



RESULTS OF Z.B.A. MEETING OF:

September 24, 2007PROJECT: Jonathan GodfreyZBA # 07-49

P.B.# \_\_\_\_\_

USE VARIANCE:

NEED: EAF \_\_\_\_\_

PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_

LUNDSTROM \_\_\_\_\_

LOCEY \_\_\_\_\_

TORPEY \_\_\_\_\_

KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_

LUNDSTROM \_\_\_\_\_

LOCEY \_\_\_\_\_

TORPEY \_\_\_\_\_

KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_

LUNDSTROM \_\_\_\_\_

LOCEY \_\_\_\_\_

TORPEY \_\_\_\_\_

KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_

LUNDSTROM \_\_\_\_\_

LOCEY \_\_\_\_\_

TORPEY \_\_\_\_\_

KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

## ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

M) LU S) IVOTE: A 4 N 0 ~~GANN~~ \_\_\_\_\_LUNDSTROM A \_\_\_\_\_LOCEY A \_\_\_\_\_TORPEY A \_\_\_\_\_KANE A \_\_\_\_\_CARRIED: Y ✓ N \_\_\_\_\_

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_

VARIANCE APPROVED:

M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_

LUNDSTROM \_\_\_\_\_

LOCEY \_\_\_\_\_

TORPEY \_\_\_\_\_

KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

Possible easement - Applicant to verifyTry to draw it out w/ moving bldg back.Get larger Map



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

September 18, 2007

Jonathan Godfry  
271 Riley Road  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #07-49

Dear Mr. Godfry:

This letter is to inform you that you have been placed on the September 24<sup>th</sup>, 2007 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

271 Riley Road  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

TOTAL CHARGES:



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.	300-11-A-3	NOT Permitted	
Reqd. Side Yd.	300-11-A-1-B	5'	5'
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The garage that I would like to  
build would not be undesirable at all. It will be  
a brand new building painted or sided to match the  
rest of my house, it would give me more indoor  
storage to help clean up my property, and of course  
it would increase the value of my home, which in  
return would raise the value of my neighbors homes.

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**



**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

There is nothing there now it is just a big lot

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

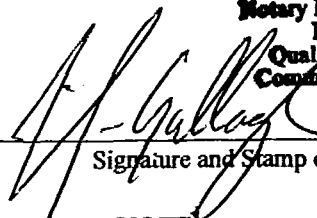
COUNTY OF ORANGE )

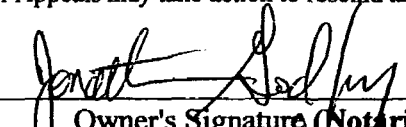
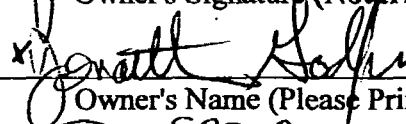
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

20 day of August 2007.

**JENNIFER GALLAGHER**  
Notary Public, State of New York  
No. 01GA6050024  
Qualified in Orange County  
Commission Expires 10/30/10

  
Signature and Stamp of Notary

  
Owner's Signature (Notarized)  
  
Owner's Name (Please Print)  
D# 889-827-725  
exp. 05-20-10

Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

PROJECT I.D. NUMBER

617.21

SEQR

## Appendix C

State Environmental Quality Review

## SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>Jonathan Godfrey</u>	2. PROJECT NAME <u>Garage</u>
3. PROJECT LOCATION: <u>271 Riley Rd New Windsor N.Y. 12553</u> Municipality <u>County Grange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>271 Riley Rd New Windsor N.Y. 12553</u> <u>3 Driveways up from New Windsor water Co.</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>3 Car Garage</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>apx 1,000 sq ft</u> acres, Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <u>It will be in front of House, and near property lines</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>Jonathan Godfrey</u>	Date: <u>8/14/07</u>
Signature: <u>Jonathan Godfrey</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<p><b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</b></p> <p><input type="checkbox"/> Yes    <input type="checkbox"/> No</p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
<p><b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8?</b></p> <p><input type="checkbox"/> Yes    <input type="checkbox"/> No</p>	<p>If No, a negative declaration may be superseded by another involved agency.</p>
<p><b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b></p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: <span style="float: right;">No</span></p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: <span style="float: right;">No</span></p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: <span style="float: right;">No</span></p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: <span style="float: right;">No</span></p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: <span style="float: right;">No</span></p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: <span style="float: right;">No</span></p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: <span style="float: right;">No</span></p>	
<p><b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b></p> <p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    If Yes, explain briefly</p>	

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p> <p><input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:</p>	
<p>_____ Name of Lead Agency</p>	
<p>_____ Print or Type Name of Responsible Officer in Lead Agency</p>	<p>_____ Title of Responsible Officer</p>
<p>_____ Signature of Responsible Officer in Lead Agency</p>	<p>_____ Signature of Preparer (If different from responsible officer)</p>
<p>_____ Date</p>	

9/24



# TOWN OF NEW WINDSOR

(845) 563-4615 (MYRA MASON)

## ZONING BOARD APPLICATION PACKAGE

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (COMPLETE ONLY THE PAGES WITH HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN ONE ORIGINAL AND ONE COPY OF ALL PAPERWORK (unless otherwise specified) TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST (PRELIMINARY) MEETING.

\*

**ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

PAGE 1

**COMPLETE ONLY THE PAGES WITH CHECKED BOX IN CORNER OF PAGE. PLEASE SUBMIT ONE ORIGINAL AND ONE COPY OF ALL PAPERWORK (unless otherwise specified).**

## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE). BRING ENOUGH ENVELOPES PREPARED WITH **YOUR** RETURN ADDRESS AND A REGULAR \$.39 STAMP WITH YOU....**YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.**
3. WHEN YOU COME IN TO PICK UP YOUR LIST, **ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.** YOU WILL BE GIVEN ENOUGH **"NOTICES OF PUBLIC HEARING"** TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.